

PROB 12B
(7/93)

**United States District Court
for**

District of New Jersey

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

2:10-457-01

Name of Offender: Rene Babilonia

Cr.: 1:92CR0431-2
FACTS Number: 3216

Name of Sentencing Judicial Officer: K. Michael Moore, U.S.D.J. SD/FL

Name of Re-Assigned Judicial Officer: Donald L. Graham, U.S.D.J. SD/FL

Name of New Judicial Officer: Susan D. Wigenton, U.S.D.J., D/NJ

Date of Original Sentence: 05/24/93

Original Offense: Count 1 - Conspiracy to Import Cocaine, 21 U.S.C. § 963
 Count 2 - Importation of Cocaine, 21 U.S.C. § 952(a)
 Count 3 - Conspiracy to Possess with Intent to Distribute Cocaine, 21 U.S.C. § 846
 Count 4 - Possession with Intent to Distribute Cocaine, 21 U.S.C. § 841(a)(1)

Original Sentence: 292 Months imprisonment on each count to run concurrently, followed by 5 years supervised release

Amended Sentence: On March 26, 1996, his sentence was reduced to 235 Months imprisonment

Type of Supervision: Supervised Release

Date Supervision Commenced: 05/10/10

PETITIONING THE COURT

- ☐ To extend the term of supervision for Years, for a total term of Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

LOCATION MONITORING PROGRAM (30 days months) (Payment NOT waived)

You are to participate in the Location Monitoring Program. You shall be confined to your residence for a period of 30 days commencing at the direction of the U.S. Probation Office. You shall be required to be at this residence at all times except for approved absences for gainful employment, community service, religious services, medical care, educational or training programs and at other such times as may be specifically authorized by the U.S. Probation Office. You shall wear a Location Monitoring device and follow all location monitoring procedures. You shall permit the Probation Officer access to the residence at all times and maintain a telephone at the residence without any custom services or portable, cordless equipment. You shall comply with any other specific conditions of home confinement as the Court may require. You shall pay all the costs associated with the Location Monitoring Device. The U.S. Probation Office may use less restrictive location monitoring technology if the U.S. Probation Office determines that a less restrictive device is available and appropriate.

CAUSE

On June 3, 2010, staff at the Community Corrections Center (Toler) observed two (2) residents entering a vehicle being operated by the offender. The offender had been a resident of Toler and was aware that the two (2) residents he provide transportation for were convicted felons. This is in violation of his condition of supervised release which states, "the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation office." When initially confronted with this information, the offender denied having association with convicted felons, but later recanted his statement and admitted to providing transportation to the residents and being aware that they were convicted felons. He has signed the waiver of hearing form and has agreed to the modification of the conditions of supervised release.

Respectfully submitted,

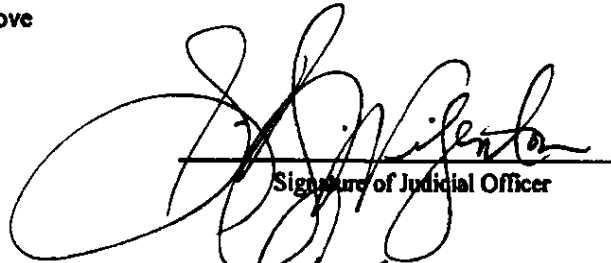
By: Patrick Hattersley
U.S. Probation Officer

Date: 06/30/10

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THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other



Signature of Judicial Officer

July 7, 2010

Date